

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JIMMY DODSON, JR.,	)	
	)	
Plaintiff,	)	
vs.	)	NO. CIV-16-1272-HE
	)	
NANCY A. BERRYHILL,	)	
Acting Commissioner of the	)	
Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff Jimmy Dodson, Jr. filed this action seeking judicial review of the final decision of the Acting Commissioner of the Social Security Administration denying his application for disability insurance benefits. Consistent with 28 U.S.C. §§ 636(b)(1)(B), 636(b)(3), the case was referred to Magistrate Judge Bernard M. Jones, who recommends that the Commissioner’s decision be affirmed.

Plaintiff filed his applications for benefits and, when they were denied initially and on reconsideration, he requested a hearing before an Administrative Law Judge (“ALJ”). The ALJ issued an unfavorable decision on May 18, 2016, after a hearing. When the Appeals Council denied plaintiff’s request for review, the ALJ’s decision became the final decision of the Commissioner.

Plaintiff failed to object to the Report and Recommendation. He thereby waived his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C).

Accordingly, the court adopts Magistrate Judge Jones's Report and Recommendation. The Commissioner's decision is **AFFIRMED**.

**IT IS SO ORDERED.**

Dated this 16th day of January, 2018.



JOE HEATON  
CHIEF U.S. DISTRICT JUDGE